

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No.: 7134

First Named Inventor: KRINSKY

Art Unit: 26117

Appln. No.: 10/619,691

Examiner: TRAN

For: SYSTEM AND METHOD FOR
ESTABLISHING A DIAGNOSTIC
TRANSMISSION MODE AND
COMMUNICATING OVER THE SAME

Attorney Docket No. 5550-2-CON-2

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

Applicant submits this Comments on Statement of Reasons for Allowance to address further the Notice of Allowability ("Notice") having a mailing date of May 17, 2009.

Based on the Notice, the patentability of all independent and dependent claims is assumed to be based upon the elements as set forth in such claims and that such claims meet all criteria for patentability under §101, §102, §103 and §112.

As is clear from MPEP 1302.14,

"The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth."

While the stated may be a stated reason for allowing some independent claims, Applicant submits that some independent claims have a different reason for allowance based on different claim features and that some independent claims have other reasons for allowance.

Although the Applicant believes that no fees are due for filing this Comments on Statement of Reasons for Allowance, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,
SHERIDAN ROSS P.C.

Date: 2-5-06

By: _____

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